

Campaign Disclosure Manual 5

*Information for Major Donor
Committees*



**California Fair Political
Practices Commission**

Toll-free advice line: 1 (866) ASK-FPPC
Web site: www.fppc.ca.gov

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Introduction

How to Use this Manual

California's Political Reform Act (the "Act") requires receipts and expenditures in election campaigns to be disclosed fully and truthfully. Since 1974, there have been over 200 amendments to the Act's campaign disclosure provisions. This manual has been prepared to assist committees with the Act's numerous and often detailed rules. This manual is written in a "user friendly" format so that committees have a resource guide. Also provided is a list of statutes and regulations at the end of each chapter. These can be accessed on the FPPC website under the Library and Publications section.

In addition, federal and state tax laws and other rules may be applicable. Telephone numbers and website addresses for the Federal Election Commission, Internal Revenue Service, California Franchise Tax Board, and the Federal Communications Commission are listed in the Appendix.

Controlling Law

This manual summarizes key campaign disclosure laws and regulations and draws from years of FPPC staff advice on complying with the provisions of the Act's campaign disclosure laws. Each committee's activity is different, however, and may raise issues not discussed in this manual. If there are any discrepancies between the manual and the Act or its corresponding regulations, the Act and its regulations will control.

Need Help?

If you need assistance, the Fair Political Practices Commission has a toll-free advice line:

1-866-ASK FPPC
(1-866-275-3772)

FPPC employees are available Monday through Friday to help you. In addition, the FPPC website (www.fppc.ca.gov) contains forms, manuals, and a wealth of other helpful information. See the Appendix for more details.

Don't forget these rules...

- Major donor committees do not receive contributions. If you receive contributions totaling \$1,000 or more in a calendar year, refer to the manual for primarily formed committees or general purpose committees, rather than this manual.
- Major donor committees terminate automatically at the end of each year. A prior year's activity does not trigger filing in another calendar year.
- If you make contributions totaling \$50,000 or more in a calendar year, you may be required to file electronically with the Secretary of State.
- If you qualify as a major donor committee during the 16 days prior to an election, you may be required to file Form 497 within 24 hours.
- A major donor committee must file a semi-annual report for each six-month period in which contributions or independent expenditures are made. A committee active in a city election may be required to file pre-election statements in connection with the city's election. Check the filing schedules at www.fppc.ca.gov for deadlines.
- When a major donor is required to be identified in a mass mailing or other advertisement, the legal name of the individual or entity must be disclosed (e.g., ABC Development Corporation).

Chapter 1

Are You a Committee?

This manual provides important information on campaign disclosure rules for major donor committees.

What is a Major Donor Committee?

A major donor committee is an individual or entity (e.g., corporation, firm, business, or proprietorship) that makes one or more contributions to state or local candidates, ballot measure committees, or other committees (including political parties and PACs) totaling \$10,000 or more in a calendar year. A major donor committee does not receive contributions in order to make contributions, but, instead, uses its own funds to make contributions.

Examples *In April, the Alpha Corporation made contributions totaling \$8,000 to various state and local candidates. In September of the same year, the corporation made another \$3,000 contribution to a State Senator's legal defense fund. With the \$3,000 contribution, the corporation qualified as a major donor committee.*

This year, the CDI Corporation made a \$35,000 contribution to a ballot measure committee. The corporation qualified as a major donor committee.

QuickTIP If an individual or entity makes independent expenditures of \$1,000 or more in a calendar year, the individual or entity may qualify as an "independent expenditure committee." (An "independent expenditure" is a payment for a communication that expressly advocates support of or opposition to a clearly identified candidate or ballot measure, but is not made at the behest of the affected candidate or a committee formed to support or oppose the

measure.) See FPPC Disclosure Manual 6 for Independent Expenditure Committees, for guidance.

QuickTIP If contributions totaling \$1,000 or more are received in a calendar year for the purpose of making contributions or independent expenditures in connection with California candidates or ballot measures, refer to the FPPC campaign manuals for "primarily formed recipient committees" or "general purpose recipient committees." When two or more individuals or entities make separate payments totaling \$1,000 or more for a single product or service used to make contributions or independent expenditures (e.g., a newspaper ad or a mailing), they also may qualify as a recipient committee.

Multi-Purpose Organizations (Including Nonprofit Organizations, and Federal and Out-of-State Political Action Committees)

Some organizations that receive donations or other payments (e.g., membership dues) for purposes other than making political expenditures in California nevertheless do, at times, make political expenditures to support or oppose California state or local candidates or ballot measures. These organizations may be subject to filing campaign statements in California.

A multi-purpose organization is receiving "contributions" if its members or donors make payments to the organization (including dues) and, at the time of making the payments, the donors know or have reason to know that the funds with which their payments will be commingled will be used to make contributions or expenditures to support or oppose California state or local candidates or ballot measures.

Chapter 1 — Are You a Committee?

There is a presumption that the donors do **not** have reason to know that all or part of their payments made to the multi-purpose organization will be used for political activities in California **unless** the organization has made expenditures or contributions totaling at least \$1,000 during the current calendar year or any of the immediately preceding four calendar years.

A multi-purpose organization may become a major donor committee if it chooses to make one substantial contribution or expenditure to influence a state or local election and the organization has not made expenditures or contributions totaling at least \$1,000 in the current and past four years. For example, an organization that makes a one-time contribution of \$10,000 or more would qualify as a major donor committee.

Example *This year, a federal political action committee made a single \$40,000 contribution to a California state ballot measure committee. The committee had not made previous contributions to California candidates or committees. The federal committee qualified as a major donor committee. (Note: if the federal committee makes a subsequent contribution to a California candidate or committee, it may qualify as a recipient committee. Contact the FPFC for guidance.)*

Affiliated and Non-Affiliated Committees

There are certain situations when payments made by two or more persons are aggregated and the persons are treated as a single committee for reporting purposes and for purposes of contribution limits.

QuickTip Under the Act, the term “person” includes an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, committee, and association.

Affiliated individuals and entities will qualify as a single committee, if, together, their independent expenditures total \$1,000 or more, or their contributions total \$10,000 or more, in a calendar year. In addition, a major donor committee that files campaign statements disclosing contributions made by affiliates must notify the recipients of its contributions of the name used on the major donor campaign statement under the “Name of Filer.” (See Chapter 4.)

There is an exception for payments made by individuals listed on the same joint checking account. A contribution is attributed, in full, to the individual who signs the check. (See Chapter 2.)

The following payments are aggregated:

- Contributions or independent expenditures made from an individual’s personal funds and from funds he or she directs and controls.
- Contributions or independent expenditures made by two or more entities that are directed and controlled by a majority of the same persons.
- Contributions or independent expenditures made by entities that are majority owned by any person. Contributions and independent expenditures made by the majority owner and all other entities majority owned by that person are aggregated unless the entities act independently in their decisions to make contributions or independent expenditures.

The following are basic examples to provide general guidance. Every case is unique and we encourage you to contact us for advice.

Examples *In May, Ellen Gomez made contributions from her personal funds totaling \$6,000 to candidates for county and state offices. In June, she made a \$3,000 independent expenditure from her*

wholly owned business to oppose a ballot measure and qualified as an independent expenditure committee. Because Ms. Gomez directed and controlled all of the payments, she and her business qualify as a single committee and must disclose her personal contributions as well as the independent expenditures made from her business. (Refer to FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees.)

Judy and Bill Copren are listed on a joint checking account. During a calendar year, Judy signed several checks amounting to \$6,000 to various local candidates. Bill also signed several checks amounting to \$7,000. Judy and Bill do not qualify as a major donor committee. Each individual's contributions are treated separately for purposes of qualifying as a major donor committee.

In addition, Judy and Bill are partners in four limited partnerships. Contributions made from each of the limited partnerships must be approved by both Judy and Bill. The four limited partnerships qualify as a single major donor when contributions of \$10,000 or more are made in a calendar year. (Note: the partnership major donor statement would not list Judy and Bill's personal contributions.)

Pace Computers contributed a total of \$9,000 to support various legislative candidates. Under the direction of Pace Computers, Global Software, Inc., a company in which Pace Computers has a greater than 50 percent ownership interest, contributes \$7,000 to support local candidates. Because Global Software, Inc. did not act independently, the companies qualify as a single major donor committee.

Southwest Telecom has a greater than 50 percent ownership interest in American Telecom. Each entity, entirely on its own and with separate decisionmaking bodies, makes a contribution of \$5,000 to a ballot measure committee. Because Southwest

Telecom and American Telecom acted completely independently in their decisions to make the contributions, they do not qualify as a major donor.



Quick TIP If any combination of individuals or entities described above qualifies as a single committee, a single campaign statement must be filed reflecting the name of each individual's or entity's payment. (See Chapter 2 for specific instructions on which name is identified as the name of the filer.)

\$5,000 Notification to Potential “Major Donors”

Candidates and committees that receive one or more contributions totaling \$5,000 or more in a calendar year from an individual or entity must send the contributor written notice that they may have a filing obligation. Failure to receive a notice does not affect the filing obligations and requirements of major donors.

The notice should be similar to the language below:

If your contribution(s) to this committee and to other California state or local committees total(s) \$10,000 or more in a calendar year, California law requires you to file a Major Donor Committee Campaign Statement (Form 461). The deadline and location for filing this statement will depend upon the timing and type of contribution(s) you have made. In addition, once you become a major donor, you are required to file a late contribution report within 24 hours if you make contributions totaling \$1,000 or more to a single candidate, his or her controlled committee, or to a committee primarily formed to support or oppose a candidate or ballot measure during the 16 days before an election in which the candidate or measure is being voted upon or make contributions totaling \$1,000 or more to a state or county

political party committee during the 16 days prior to a state election.

Failure to file campaign statements may result in late filing penalties (\$10/day) and fines (up to \$5,000/violation). For more information, contact the Fair Political Practices Commission toll-free at (866) 275-3772, or refer to their website: www.fppc.ca.gov.

Additionally, if you make contributions of \$50,000 or more in a calendar year in California and some or all of those contributions are to state candidates, committees, or ballot measures, you are required to file your forms electronically with the Secretary of State. For more information on the electronic filing requirements, contact the Secretary of State's office at (916) 653-6224.

Answering Your Questions

- Q. *Will a candidate or the spouse of a candidate become a major donor by contributing \$10,000 to the candidate's campaign?*
- A. If the contributions are made from community funds, neither the candidate nor the spouse will qualify as a major donor. However, if the candidate's spouse makes contributions from legally separate funds, the spouse will become a major donor.
- Q. *A legislator made a \$40,000 personal contribution to a state ballot measure committee. Does the legislator file as a major donor committee?*
- A. Yes. In addition, if one of the legislator's election committees also makes a contribution to the same ballot measure committee, those contributions must be aggregated together. (See Chapter 4.)
- Q. *May corporations make political contributions in California?*
- A. Yes, the Act does not prohibit this activity. However, corporations and unions are prohibited from contributing to federal campaigns except through their PACs. Also, under federal law, national banks and federally chartered corporations are prohibited from making contributions to state and local campaigns. (See Chapter 2 for additional information.)
- Q. *Must contributions totaling \$10,000 or more be made to a single candidate, committee, or measure in order for the contributor to become a major donor?*
- A. No, if a contributor makes contributions totaling \$10,000 or more to any combination of California state and local candidates, committees, or measures in a calendar year, the contributor meets the definition of major donor.
- Q. *An entity has qualified and filed as a major donor committee in the past three consecutive years, but will not qualify this year. Is it necessary for this entity to terminate its status as a committee to avoid having to file this year?*
- A. No. Major donor committees terminate automatically at the end of the calendar year and are under no obligation to file anything in a year in which they do not engage in enough activity to qualify as a major donor committee.
- Q. *If an individual makes a \$6,000 contribution in the current year and, also in the current year, forgives a \$5,000 campaign loan made in the previous calendar year, will that individual become a major donor?*
- A. Yes.
- Q. *If a person has not qualified as a major donor committee, is a late contribution report required if that person gives a \$1,000 contribution during the late filing period?*

- A. No. The person has no filing obligations until qualifying as a major donor committee.
- Q. *Will an individual qualify as a major donor by making a \$6,000 loan and forgiving that same \$6,000 loan in the same calendar year if the individual has made no other contributions to California committees?*
- A. No. However, if the loan is forgiven in a subsequent calendar year, the forgiveness counts toward qualification as a major donor for that year.

Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Code Sections

- 82013 *Committee.*
82015 *Contribution.*
82031 *Independent Expenditure.*
84105 *Notification of Contributors.*
85311 *Affiliated Entities; Aggregation of Contributions to State Candidates.*

Title 2 Regulations

- 18215 *Contribution.*
18215.1 *Contributions; When Aggregated.*
18225 *Expenditure.*
18225.4 *Independent Expenditures; When Aggregated.*
18225.7 *Made at the Behest of.*
18427.1 *Notification to Contributors of \$5,000 or More.*
18428 *Reporting of Contributions and Independent Expenditures Required to be Aggregated.*

Chapter 2

Contributions

This chapter begins with a discussion of common types of contributions and includes information on the state contribution limits.

What is a Contribution?

A “contribution” is a monetary or nonmonetary payment made to a candidate or committee for which the candidate or committee has not provided full and adequate consideration in return. A contribution may take any of the following forms:

- Money (cash, check, credit card, wire transfers);
- Loans (including loan guarantees, co-signing, lines of credit, and forgiveness of a loan);
- Enforceable promises;
- Tickets to political fundraisers (full value of the ticket); and
- Nonmonetary items (donated goods or services).

Common types of nonmonetary contributions include:

Staff: If a business donates the use of an employee to work on a campaign, the amount the individual is paid for working on the campaign is a nonmonetary contribution if the employee spends more than 10 percent of his or her compensated time in a calendar month working on the campaign.

Discounts: If an entity provides a discount on goods or services to a committee and the discount is not offered to the public in the regular course of business, the discount is a nonmonetary contribution.

Enforceable Promises: A legally enforceable promise to pay for goods or services is a contribution. A pledge card is

not considered an enforceable promise to make a contribution. “Enforceable promise” also does not include a contributor’s agreement to make future installment payments through wire transfer, credit card transaction, debit account transaction, or similar electronic payment.

Phone Banks: Businesses and other entities will sometimes allow a committee to use their phones to call prospective voters during non-business hours. The fair market value of the use of the phones is calculated to determine the amount reported as a nonmonetary contribution, even if only local calls are made. One method to determine the fair market value is to contact organizations that provide phone banks as a business.

Websites: If a website is designed and maintained at the behest of a candidate or measure committee, the portion of the website containing express advocacy is a nonmonetary contribution. (See the member communication exception on page 2-3.)

Office Space: The value of donated office space may be computed based on comparable rental rates for office space in the area.

Polls: A person or entity that provides data from a public opinion poll or survey to a candidate or committee is making a nonmonetary contribution if the candidate or committee requests the data or the data are used for political purposes. A formula utilized by the Federal Election Commission may be used for valuing polling or survey data, as long as the formula is used in a reasonable manner to provide a fair estimate. The formula calculates the value based on the age of the data. The chart below illustrates the fair market value of data based on the number of days that pass from

Chapter 2 — Contributions

the date the entity originally received the data to the date the data were provided to the candidate or committee.

Age of Data	Value
0 -15 days	Full Value
16 - 60 days	50%
61 - 180 days	5%
More than 180 days	No Value

When only a portion of a survey is provided to or for the benefit of a candidate or committee, the nonmonetary contribution is the prorated portion of the total value of the survey.

Reporting Contributions Made

In general, a monetary contribution is made on the date that the contribution is mailed, delivered, or otherwise transmitted to the candidate or committee. Alternatively, the date of the check may be used provided it is no later than the date the contribution is mailed, delivered, or otherwise transmitted. For example, a check dated July 10 and delivered June 10 is made on June 10. Whereas, a check dated May 5 but delivered June 10 may be reported as made on either May 5 or June 10.

A late monetary contribution (a contribution made during the last 16 days before an election) must be reported as being made on the date mailed, delivered, or otherwise transmitted to the candidate or committee. Unlike the contribution described above, the date of the check may not be used in lieu of the mail, delivery, or transmittal date. A late contribution triggers a special report that must be filed within 24 hours of making the contribution. (See Chapter 4.) A nonmonetary contribution is made on the earlier of the following:

- The date funds were expended by the contributor for the goods or services;
- The date the committee or an agent of the committee obtained possession or control of the goods or services; or

- The date the committee received the benefit of the expenditure.

When a nonmonetary contribution is made, the fair market value must be reported.

The value of all nonmonetary contributions of \$100 or more must be reported in writing to the recipient upon the recipient's written request.

Joint Checking Accounts: Individuals (including spouses) may make separate contributions from a joint checking account. For reporting purposes, the full amount of the contribution is reported as made from the individual who signs the check. If two or more individuals sign the check, the contribution is divided equally between or among the signers, unless there is an accompanying document signed by each individual whose name is printed on the check that clearly indicates a different apportionment.

Example *Linda and Jerry Nelson are both listed names on a joint checking account. From this account, Linda signed a \$15,000 check payable to Citizens Against Street Crime, Yes on Measure D. Linda is the contributor of the full \$15,000.*

A check drawn on a joint checking account that is signed by an individual not listed on the check (e.g., an accountant) must be accompanied by a document signed by at least one of the individuals listed on the check stating to whom the check is to be attributed.

Generally, if a check is drawn on the account of a business entity, the contributor is the business entity, not the individual who signed the check.

A contribution made by a child under the age of 18 is presumed to be a contribution from his or her parent or guardian, unless the

facts show otherwise (i.e., that the child actually chose to make the contribution).

Affiliated Committees: A major donor committee that files campaign statements disclosing contributions made by affiliates must notify the recipients of its contributions of the name used on the major donor campaign statement under the “name of filer.”

Example *Global Software made a \$13,000 contribution to a ballot measure committee. Global Software’s contributions are reported on the major donor statement filed under the name of Pace Computers, Global Software’s parent. Global Software must notify the ballot measure committee that the contribution is disclosed on the campaign statement filed by Pace Computers. The ballot measure committee will identify both Global Software and Pace Computers on its campaign statement.*

Contributions: Exceptions

There are many exceptions to the definition of “contribution.” Four common exceptions include:

Volunteer Personal Services: If an individual donates his or her personal or professional services to a campaign, no contribution has been made or received. However, if an employer donates employee services to a campaign, and any employee spends more than 10 percent of his or her compensated time in a calendar month providing the services, the employer has made a nonmonetary contribution. “Volunteer personal services” does not include any tangible items. Donated goods are contributions.

Home/Office Fundraisers: If someone holds a fundraiser or other campaign event in his or her home or office, the costs incurred by the occupant of the home or office need

not be reported as long as the total cost of the event is \$500 or less. However, if someone else donates food, beverages, or anything else of value for the event, the fair market value of those donated goods is a nonmonetary contribution. In addition, the donated goods must be counted to determine whether the total cost of the event is \$500 or less.

Example *Shannon sponsors an event for a candidate after work in her business’ office. She spends \$450. A friend supplies decorations worth \$75. Since the total cost of the event exceeds \$500, the candidate must report receiving contributions of \$450 from Shannon and \$75 from the friend.*

Quick TIP *The total cost of a home or office fundraiser must be \$500 or less. This is true no matter how many committees or candidates benefit from the event.*

Member Communications: Payments made by an entity (including a business entity) for a communication that supports or opposes a candidate or ballot measure are not contributions or expenditures as long as the communication is sent only to the organization’s members, employees, shareholders, or their families. The payments may not be for general public advertising, such as billboards, newspaper, radio or television ads.

Example *A corporation sends a mailing supporting a ballot measure to the corporation’s shareholders. The mailing is not a contribution to the ballot measure committee whose position is supported or an independent expenditure. Later, at the behest of the ballot measure committee, the corporation sends the mailing to all registered voters in the district where the measure will appear on the ballot. The mailing to the voters is a nonmonetary contribution.*



Consult Regulation 18215 for a complete list of exceptions to the definition of a contribution.

Payments for Governmental, Legislative, or Charitable Purposes: Payments made in connection with a governmental, legislative, or charitable event, such as a job or health fair, a charity fundraiser, or a conference on educational issues, that are coordinated or requested by an elected official from a source other than the official's agency, such as a business, are generally not considered gifts or contributions to the elected official who is co-sponsoring the event. However, the official may be required to report such payments if they total \$5,000 or more.

Example *At Councilmember Stark's request, Diamond Dairy made a \$10,000 donation to the Boys' and Girls' Club. Councilmember Stark will file a report with the city clerk disclosing the donation and donor's name and address. Diamond Dairy is not required to report the payment.*

Contribution Restrictions

Contributions of \$100 or More: Monetary contributions of \$100 or more must be made by written instrument (such as a check) containing the name of the donor and drawn from the account of the donor or intermediary. Contributions may also be made by credit card or electronic transmission (e.g., wire transfer). Contributions of \$100 or more made by money order, cashier's check, or traveler's check are prohibited. A cash contribution of \$100 or more is prohibited and an anonymous contribution of \$100 or more is prohibited.

In addition, a candidate or committee must return a contribution of \$100 or more from an individual if the individual's name, address, occupation, and employer are not obtained within 60 days of receipt of the contribution.

All contributions to a candidate or committee must be made in the name by which the contributor is identified for legal purposes.

Intermediary: An intermediary is a person or entity that makes a contribution on behalf of another person and has been or will be reimbursed for the contribution. For each contribution of \$100 or more from an intermediary, the name, address, and, if applicable, the occupation and employer information must be disclosed for both the true source of the contribution and the intermediary.

Example *Lori Martin and John Porter each made a \$1,000 contribution from their personal funds to support the Committee for Measure F, with the understanding that they would be reimbursed by their employer. Lori and John must tell the committee that they are acting as intermediaries on behalf of their employer. The committee must itemize the \$2,000 contribution on its campaign statement showing the employer as the contributor and also indicating that Lori and John were intermediaries for \$1,000 each.*

Reimbursing employees or others to get around contribution limits is called campaign money laundering and is illegal.

This failure to disclose the true source of a contribution is considered one of the most serious violations of the Political Reform Act.

Example *Build Right Homes is a housing company located in Sun City, California. Sun City has a \$1,000 per election contribution limit for local officials. The City Council is considering a contentious slow-growth plan for Sun City. Concerned about the plan, the president of Build Right Homes makes a maximum contribution to a council candidate who opposes it. He asks*

the employees of Build Right Homes to do the same, and plans to reimburse them. Reimbursing employees or others to get around contribution limits is called campaign money laundering and is illegal.

Contributions in State Office Buildings:

Contributions may not be delivered, personally or through an agent, in the State Capitol or other state office building if the State of California pays the majority of the rent for that building. “Personally delivered” includes the delivery of a copy or facsimile of a contribution, and the original or a copy of a contribution transmittal letter. This prohibition does not apply to contributions received or delivered in a legislative district office, or those sent by mail.

Contributions from Foreign Governments or Principals:

A foreign government or foreign principal may not make contributions or expenditures in connection with the qualification or support of, or opposition to, any state or local ballot measure. The term “foreign principal” as defined in 22 U.S.C.A. Section 611(b) includes:

- A foreign political party;
- A person outside the United States, unless the person is a U.S. citizen or a U.S. corporation whose place of business is in the United States;
- A foreign partnership, association, corporation, or organization; or
- A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is not a U.S. citizen or lawful permanent resident.

Contributions from Foreign Nationals, National Banks, or Corporations: Foreign nationals, national banks, and federally-chartered corporations may not make contributions in connection with any local,

state, or federal election. (The Federal Election Campaign Act (2 U.S.C. Section 441b).) Contact the Federal Election Commission for more information at (800) 424-9530.

Disqualification and Campaign

Contributions: Government Code Section 84308 disqualifies certain appointed board members and commissioners from participating in governmental decisions affecting campaign contributors (including the parent, subsidiary, or affiliate of a campaign contributor) who have given \$250 or more within 12 months before the decision. Section 84308 applies to proceedings on licenses, permits, and other entitlements for use pending before certain state and local agencies, boards, and commissions. In addition, the official is prohibited from accepting or soliciting contributions of \$250 or more from the parties and other participants during the proceeding. Contact the FPPC for more information.

State Contribution Limits

Candidate Election Committees:

Candidates for state office have limits on how much they may accept from a single source per election. For purposes of contribution limits, the primary, general, special, and special runoff elections are considered separate elections. Contribution limits may increase or decrease every two years based on changes in the Consumer Price Index.

Candidates may raise contributions for a general or special general election prior to a primary or special primary election. If the candidate loses or withdraws from the general or special general election, contributions received for the general or special general election must be returned to the contributors on a pro rata basis, less the cost of raising and administering the funds.

Chapter 2 — Contributions

Per-Election Limits on Contributions to State Candidates

(For elections held on or after January 1, 2007)

Contributor	Legislature	Statewide Except Governor	Governor
Person	\$3,600	\$6,000	\$24,100

Officeholder Accounts: After the date of an election, an elected state officer may accept contributions into an officeholder committee to pay costs associated with holding office. (The last name of the officeholder and the term “officeholder” must be in the committee name.) These contributions are subject to calendar year limits both by donor and in the aggregate. In addition, officeholder contributions must be cumulated (in full) with any other contributions that a contributor makes to another election committee controlled by the officeholder and formed for a future state office.

Example *Assemblymember Jones opens an officeholder committee in November. In June of the following year, Jones opens a committee to run for Senate. A \$3,000 contribution to the officeholder committee counts toward the contribution limit of \$3,600 from the same contributor to the Senate committee. The donor may only contribute \$600 to the Senate committee.*

Quick TIP Contributions from affiliated committees are aggregated for purposes of the limits on contributions to state candidates. (See Chapter 1.)

Calendar Year Limits on Contributions to State Officeholder Accounts

(2007 and 2008)

Contributor	Legislature	Statewide Except Governor	Governor
Person	\$3,000	\$5,000	\$20,000
Legislature		Statewide Except Governor	Governor
Aggregate from all Sources	\$50,000	\$100,000	\$200,000

Other State Committees

Calendar Year Limits on Contributions to Other State Committees

(2007 and 2008)

Contributor	Committee (Not Political Party) for State Candidates	Political Party for State Candidates	Small Contributor Committee	Committee/Political Party Not for State Candidates
Person	\$6,000	\$30,200	\$200	No limit

Certain other committees are also subject to state contribution limits. However, these committees may receive contributions in excess of the limits as long as the contributions are placed in a separate account and are not used for state candidate contributions.

Primarily Formed Committees: A committee that is primarily formed to support or oppose a state candidate (but is not controlled by the candidate) may not receive more than \$6,000 from a single source in a calendar year for the purpose of making contributions to the candidate it is primarily formed to support.

Many primarily formed committees do not make contributions to the candidate the committee is formed to support, but use the

contributions they receive for the purpose of making independent expenditures. If a primarily formed committee will only make independent expenditures, the committee is not subject to the contribution limit.

General Purpose Recipient Committees (Including PACs and Political Parties): A committee that is formed to support or oppose various candidates and measures may not receive more than \$6,000 from a single source in a calendar year for the purpose of making contributions to state candidates.

A political party, including a central committee, may not receive more than \$30,200 from a single source in a calendar year for the purpose of making contributions to state candidates.

Extensions of Credit

When there is an agreement with the provider of goods or services that a state candidate or committee will pay for goods or services on credit, the goods or services may become a contribution to the candidate or committee and be subject to contribution limits if it remains unpaid after 45 days.

Contributions that Exceed the Limits

A violation of the Act does not occur if a contribution to a state candidate that exceeds the limit is not deposited into the candidate's bank account and is returned within 14 days of receipt. For nonmonetary contributions, either the item itself, its monetary value, or the monetary amount by which the value of the nonmonetary contribution exceeds the limits must be returned within 14 days of receipt.

Exceptions

Legal Defense Funds: State and local candidates and officeholders may establish a legal defense fund to defray attorney's fees and other related legal costs incurred for the candidate's or officeholder's legal defense if the candidate or officeholder is subject to one or more civil or criminal proceedings or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officeholder's governmental activities and duties. Contributions made to a legal defense committee are reportable but are not subject to contribution limits. Legal defense committees are required to have the candidate's or officeholder's last name and the words "legal defense" in the name of the committee.

Recall Elections: A state officeholder who is the subject of a recall may set up a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. Contributions to this committee are reportable but are not subject to limits.

Ballot Measure Committees: A primarily formed or general purpose ballot measure committee is not subject to state contribution limits, including those committees controlled by a state candidate or officeholder. But funds from a ballot measure committee may not be used for the state candidate's election.

Contribution Limits and Repaid Loans: Loans are contributions subject to contribution limits. However, if a loan has been repaid, the lender may make additional contributions to the same candidate or committee up to the contribution limit.

Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Code Sections

82015	<i>Contribution.</i>
82025	<i>Expenditure.</i>
82031	<i>Independent Expenditure.</i>
82044	<i>Payment.</i>
82047	<i>Person.</i>
84211	<i>Contents of Campaign Statement.</i>
84300	<i>Cash and In-Kind Contributions; Cash Expenditures.</i>
84302	<i>Contributions by Intermediary or Agent.</i>
84304	<i>Anonymous Contributions.</i>
84308	<i>Contributions to Officers; Disqualification.</i>
84309	<i>Transmittal of Campaign Contributions in State Office Buildings.</i>
85301	<i>Limits on Contributions from Persons.</i>
85303	<i>Limits on Contributions to Committees and Political Parties.</i>
85304	<i>Legal Defense Fund.</i>
85306	<i>Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.</i>
85307	<i>Loans.</i>
85308	<i>Family Contributions.</i>
85312	<i>Communications to Members of an Organization.</i>
85320	<i>Foreign Entities.</i>
85700	<i>Donor Information Requirements; Return of Contributions.</i>

Title 2 Regulations

18215	<i>Contribution.</i>
18215.1	<i>Contributions; When Aggregated.</i>
18216	<i>Enforceable Promise to Make a Payment.</i>
18225	<i>Expenditure.</i>
18225.7	<i>Made at the Behest of.</i>

18421.1	<i>Disclosure of the Making and Receipt of Contributions.</i>
18423	<i>Payments for Personal Services as Contributions and Expenditures.</i>
18428	<i>Reporting of Contributions and Independent Expenditures Required to be Aggregated.</i>
18432.5	<i>Intermediary.</i>
18439	<i>Definition of "Personally Deliver."</i>
18530.4	<i>Legal Defense Funds.</i>
18530.7	<i>Extensions of Credit.</i>
18531	<i>Return of Excess Contributions.</i>
18531.5	<i>Recall Elections.</i>
18531.62	<i>Elected State Officeholder Bank Accounts.</i>
18531.7	<i>Payments for Communications—Section 85312.</i>
18533	<i>Contributions from Joint Checking Accounts.</i>
18537	<i>Contributions Limits and Application to Repaid Loans.</i>

Chapter 3

Communications

This chapter addresses common issues relating to political mailings and other advertisements.

The Political Reform Act does not regulate the truth or accuracy of political communications, but does require reporting of most payments in connection with flyers, mailers, billboards, and radio and television advertising. Identification rules also may apply.

Generally speaking, when a major donor committee pays for a communication supporting or opposing a candidate or ballot measure, the committee has made a nonmonetary contribution unless the payment was not made “at the behest of” the candidate or a committee primarily formed to support or oppose the ballot measure. Payments for communications that expressly advocate the election or defeat of a candidate or measure, which are not made at the behest of the affected candidate or measure committee, are “independent expenditures.”

Whether a communication is a contribution, an independent expenditure, or some other type of reportable payment depends on several factors, including whether the communication “expressly advocates” support of or opposition to a clearly-identified candidate or ballot measure. The information and examples provided below may be of assistance in making that determination. However, it is impossible to address all types of communications. If presented with a specific example, FPPC staff can provide assistance.

Example *A corporation paid \$40,000 for a mailing to voters stating “Vote for Candidate Rossi.” The corporation’s name and address must be on the outside of the mailing. Since the communication expressly advocates support for a clearly-identified*

candidate, the corporation made either a contribution or an independent expenditure, depending upon whether it was made at the behest of the candidate.

Valuing a Mailing

Multiple candidates/measures: If a mass mailing supports or opposes more than one candidate or measure, the fair market value attributable to each may be calculated by prorating the costs based on the amount of space allotted to each candidate or measure supported or opposed in the mailing.

Political and non-political material: The cost of a mailing containing both express advocacy supporting or opposing a ballot measure or candidate as well as nonpolitical material may be prorated. Costs directly associated with the political message are reportable, including staff time of more than 10 percent in a calendar month.

Identification Requirements

Mailings

Sender Identification: When a major donor committee pays for a mailing of 200 or more similar pieces in a calendar month (“mass mailing”), it is subject to identification requirements. All mass mailings must identify the name of the major donor committee and its street address, city, state, and zip code must be printed on the outside of each piece. The type must be at least 6-point and in a color or print that contrasts with the background so that it is easily read.

Expressly Advocating a Ballot Measure

Advertisements: If a contribution totaling \$50,000 or more is made to a committee primarily formed to support or oppose a

ballot measure, the name of the major donor must be included in the primarily formed committee's advertisements if the major donor is one of the two highest contributors to the committee.

(Example) *A corporation made a \$60,000 contribution to the Measure A Committee. Because this was the committee's highest contribution, the corporation's name was identified on television ads as a major funding source.*

Spokespersons: When a major donor committee makes an expenditure of \$5,000 or more to an individual for his or her appearance in an advertisement to support or oppose a ballot measure, the advertisement must include a statement that the individual is being paid for his or her appearance. The statement must be in highly visible Roman font, shown continuously if the advertisement consists of printed or televised materials, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephone message.

In addition, the committee must file the Paid Spokesperson Report, Form 511, as described in Chapter 4.

Communications Identifying State Candidates (No Express Advocacy)

A major donor committee that makes a payment or promise of payment totaling \$50,000 or more for a communication that 1) clearly identifies a state candidate; but 2) does not expressly advocate the election or defeat of the candidate; and 3) is disseminated, broadcast, or otherwise published within 45 days of an election, is required to file Form E-530. (See Chapter 4.) These payments are not required to be reported on the major donor committee campaign statement (Form 461).

Independent Expenditures

Independent expenditures that are broadcasts or mass mailings and support or oppose either candidates or ballot measures, must identify the committee making the independent expenditure. A broadcast includes radio and television ads but not billboards and yard signs.

A brief summary of identification rules is provided below. However, committees should also consult FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees, because an independent expenditure of \$1,000 or more to support or oppose a candidate or measure triggers additional disclosure reports.

Identification: The name of the committee paying for the advertisement must be presented in a clear and conspicuous manner to give the reader or listener adequate notice of the identity of the committee. Broadcast information also must be appropriately conveyed to the hearing impaired.

The required disclosure information must be:

Video: both displayed in writing and spoken either at the beginning or at the end of the communication. The written statement must be legible to the average viewer and be displayed for not less than four seconds. However, if the disclosure statement is displayed for at least five seconds of a broadcast of 30 seconds or less, or 10 seconds of a 60 second broadcast, a spoken disclosure statement is not required.

Audio: spoken in a clearly audible manner at the beginning or end of the communication and must be at least three seconds in duration.

Mass Mailings: printed clearly and legibly in type no less than 10-points in size and in a contrasting color to the background on which it appears. If a single print media

advertisement consists of multiple pages, folds, or faces, the disclosure requirement applies only to one page, fold, or face. (Sender identification on the outside of the mailing is also required.)

Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Codes Sections

- 82015 *Contribution.*
- 82031 *Independent Expenditure.*
- 82041.5 *Mass Mailing.*
- 84305 *Requirements for Mass Mailing.*
- 84501 *Advertisement.*
- 84503 *Disclosure; Advertisement For or Against Ballot Measures.*
- 84504 *Identification of Committee.*
- 84506 *Independent Expenditures; Advertisements.*
- 84511 *Ballot Measure Ads; Paid Spokesperson Disclosure.*
- 85310 *Communications Identifying State Candidates.*

Title 2 Regulations

- 18225.7 *Made at the Behest of.*
- 18435 *Definition of Mass Mailing and Sender.*
- 18450.1 *Definitions. Advertisement Disclosure.*
- 18450.4 *Contents of Disclosure Statements. Advertisement Disclosure.*
- 18450.11 *Spokesperson Disclosure.*
- 18531.10 *Communications Identifying State Candidates.*
- 18550.1 *Independent and Coordinated Expenditures.*

Chapter 4

Reporting Requirements

This chapter reviews when and where campaign statements must be filed, as well as provides instructions and samples of campaign forms. Each major donor committee must file the Form 461 (Major Donor and Independent Expenditure Committee Campaign Statement). Following the review of the Form 461 is a discussion of additional forms that may be required.

Filing deadlines cannot be extended. For statements that are mailed, the date of the postmark is considered the date filed. Failure to file on time may lead to late filing penalties of \$10 for each day the statement is late. Failure to file a statement may result in additional penalties.

Form 461 — Major Donor and Independent Expenditure Committee Campaign Statement

The Form 461 is used to report contributions and independent expenditures made to support or oppose California state and local candidates, officeholders, and ballot measures, and contributions to campaign committees such as PACs and political parties. The report provides the public with information regarding the nature and interests of the person making the payments.

 **Quick TIP** If your committee makes both contributions and independent expenditures also refer to FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees.

Major donor committees terminate automatically at the end of each calendar year. On January 1 of every year, the slate is wiped clean.

Major donor committees are required to file Form 461 at specified times. The filing dates

are determined by whether or not the committee's activity takes place primarily in a particular city, county, or at the state level (which includes activities in multiple counties) and are also determined by the date of the election.

- State committees make contributions to state candidates, state measures, state general purpose committees or any number of candidates or measures being voted on in more than one county.
- County committees make contributions to candidates or measures being voted on in a single county election, to any number of jurisdictions wholly within a single county, or to county general purpose committees.
- City committees make contributions to candidates or measures being voted on in a single city or to city general purpose committees.

When to File Form 461

Semi-Annual Statements: All Committees

January 1 – June 30: Due July 31

If an entity qualifies as a committee during the first six months of the year, the Form 461 is due no later than July 31, covering the period January 1 through June 30. If no additional contributions or independent expenditures are made during the second semi-annual period, July 1 through December 31, no other Form 461 is required during the calendar year.

July 1 – December 31: Due January 31


If an entity qualifies as a committee during the first six months of the year and any amount of contributions are made after June 30, a Form 461 covering the period July 1 through December 31 is required. If an entity or individual qualifies as a committee during

Chapter 4 — Reporting Requirements

the second six months of the year, its Form 461 will be due no later than January 31, covering the period January 1 through December 31 of the prior year.

Preelection Statements: City Committees

During a six-month period in which a city election is held, a city committee may be required to file two preelection statements. Preelection statements are required if the committee makes contributions that total \$500 or more during the period covered by the statement. Contact the city filing officer for the election filing schedule.

 **Check the FPPC website for filing schedules. Most local election and all state election filing schedules are published there.**

Early Filing

A major donor may file campaign statements in advance of a deadline. For example, if a major donor makes contributions in the first quarter of a year triggering the special odd-year report (see page 4-12), and does not expect to make additional contributions that year, it may file a report covering the period January 1 through June 30 on or before April 30. A semi-annual statement would not be required for the July 31st deadline. If additional contributions are made, a Form 461 must be filed.

Amendments

If, at any time, a committee determines that an error has occurred on a previous filing, an amendment is required. Check the amendment box on Form 461 and complete Part 1. Only the amended information, including Part 3, if applicable, must be disclosed. The verification must be completed.

Where to File

Form 461

State Committees

Secretary of State
Original & 1 Copy

Registrar/Los Angeles County
1 Copy

Department of Elections/San Francisco
1 Copy

County Committees

County Clerk
Original & 1 Copy

City Committees

City Clerk
Original & 1 Copy

State Filing Officers

Secretary of State


Political Reform Division
P.O. Box 1467
1500 11th Street, Room 495
Sacramento, CA 95814
Fax (916) 653-5045

Registrar-Recorder of Los Angeles County

Campaign Reporting Unit
12400 Imperial Highway
Norwalk, CA 90650-3134
Fax (562) 651-2548

Department of Elections, City and County of San Francisco

1 Doctor Carlton Goodlett Place, Room 48
San Francisco, CA 94102-4635
Fax (415) 554-7344

 **Although a committee may make contributions in connection with local elections, anything more than a de minimus contribution to, or independent expenditure for, a state candidate, ballot measure, or**

other type of committee will result in state committee status.

If a major donor is initially required to file as a city or county committee and later during the calendar year the major donor qualifies as another type of committee (for example, a city committee becomes a county or state committee), it must continue to file copies of its Form 461 in the original city or county and in the other locations it is required to file until the end of the calendar year.

Electronic Filing

State committees are required to file electronically with the Secretary of State if cumulative contributions (including loans) or expenditures made are \$50,000 or more. The cumulative totals include expenditures a state committee makes regarding a local election or committee. Major donor committees need not file electronically in any calendar year in which they have not reached the \$50,000 threshold. Persons filing electronically also must continue filing disclosure statements and reports in paper format. For information about electronic filing requirements, contact the Secretary of State's office at (916) 653-6224 or www.sos.ca.gov. Depending on when a committee qualifies, its first electronic report may be a late contribution report or a semi-annual report.

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Form 461 Cover Page

Major Donor and Independent Expenditure Committee Campaign Statement (Government Code sections 84200-84216.5)		Type or print in ink.	Date Stamp	MAJOR DONOR AND INDEPENDENT EXPENDITURE COMMITTEE STATEMENT CALIFORNIA FORM 461
Statement covers period from 1/1/XX through 6/30/XX		Date of election if applicable: (Month, Day, Year)	Page 1 of 2 For Official Use Only	
SEE INSTRUCTIONS ON REVERSE				
1. Name and Address of Filer NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures) RESIDENTIAL OR MAILING ADDRESS (NO. AND STREET) 4300 Industrial Park West CITY STATE ZIP CODE Sacramento CA 95817 RESPONSIBLE OFFICER (If filer is other than an individual) Howard Hart AREA CODE DAYTIME PHONE (916) 876-5023		3. Summary (Amounts may be rounded to whole dollars.) 1. Expenditures and contributions (including loans) of \$100 or more made this period. (Part 5.) \$ 72,754 2. Unitemized expenditures and contributions (including loans) under \$100 made this period. \$ 0 3. Total expenditures and contributions made this period. (Add Lines 1 + 2.) SUBTOTAL \$ 72,754 4. Total expenditures and contributions made from prior statement. (Enter amount from Line 5 of last statement filed. If this is the first statement for the calendar year, enter zero.) \$ 0 5. Total expenditures and contributions (including loans) made since January 1 of the current calendar year. (Add Lines 3 + 4.) TOTAL \$ 72,754		
2. Nature and Interests of Filer (Complete each applicable section.) <input type="checkbox"/> AFILER WHO IS AN INDIVIDUAL MUST LIST THE NAME, ADDRESS, AND BUSINESS INTERESTS OF EMPLOYER OR, IF SELF-EMPLOYED, THE NAME, ADDRESS, AND NATURE OF THE BUSINESS NAME OF EMPLOYER/BUSINESS BUSINESS INTERESTS ADDRESS OF EMPLOYER/BUSINESS <input checked="" type="checkbox"/> AFILER THAT IS A BUSINESS ENTITY MUST DESCRIBE THE BUSINESS ACTIVITY IN WHICH IT IS ENGAGED Gourmet Food <input type="checkbox"/> AFILER THAT IS AN ASSOCIATION MUST PROVIDE A SPECIFIC DESCRIPTION OF ITS INTERESTS <input type="checkbox"/> AFILER THAT IS NOT AN INDIVIDUAL, BUSINESS ENTITY, OR ASSOCIATION MUST DESCRIBE THE COMMON ECONOMIC INTEREST OF THE GROUP OR ENTITY		4. Verification I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 7/15/XX By [Signature Required] DATE SIGNATURE OF INDIVIDUAL DONOR OR RESPONSIBLE OFFICER IF OTHER THAN AN INDIVIDUAL		

How to Complete

Statement Period and Date of Election

If this is the first filing of the calendar year, the “from date” should be January 1. Otherwise, this date should be the day after the closing date of the most recently filed Form 461. The closing date of the statement depends on the type of statement being filed. Only city committees complete the “Date of election” box when filing a preelection statement.

Example Rosebud Productions is disclosing a \$10,000 contribution made on May 1. Its Form 461 will show the period as January 1 through June 30. In the second half of the year, Rosebud made another contribution. Its second Form 461 for the year will show the period as July 1 through December 31.

Part 1 – Filer Information

Enter the legal name of the individual or entity filing the statement. If the filer is

commonly known to the public by another name, that name may be used. When a person directs and controls the making of contributions and independent expenditures by a related entity (e.g., a subsidiary or a majority shareholder of a corporation) that must be aggregated and reported on Form 461, list as the “Name of Filer” the name of the individual or entity that directs and controls the making of the contributions.

Example Hector Flores is the sole owner of two separate businesses. Hector directed a \$7,000 contribution from one business to a local ballot measure committee in January and a \$5,000 contribution from the other business to a local candidate in February. No other contributions were made in the calendar year. Hector will file the Form 461 under the name “Hector Flores (including aggregated contributions).” The Form 461 will identify both contributions and the business entity name associated with each contribution. Hector must also notify the ballot measure

committee and the candidate that the contributions must be reported under the name Hector Flores.

In addition:

- Indicate that the campaign statement includes the contributions of other entities. For example, “ABC Corporation, including aggregated contributions.”
- Identify any entities added to this report that were not included in a prior report filed for the current calendar year, as well as any entities included in a prior report for the current calendar year that are no longer required to aggregate under the name of filer.
- Identify both names if the “Name of Filer” listed on a previous report filed for the current calendar year is different than the name identified on this report. For example, “Tim Lewis, formerly Lewis Construction.”
- Enter the name of the responsible officer of an entity or organization filing the statement.

Part 2 – Nature and Interests of Filer

The nature and interests of the filer must be clearly identified. The business activity, association interests, or economic interest must be defined in the appropriate category. When payments from different persons are reported, if there are different interests, an attachment must identify the various persons and respective interests.

Part 3 – Summary

The summary lists the totals of all expenditures and contributions (including loans) made during the period covered by the statement. Collectively, Lines 1-3 represent the expenditures and contributions made during the reporting period. Line 4 must be the same figure shown on Line 5 of the previously filed statement or zero if it is

the first statement for the calendar year. Line 5 represents the total of all expenditures and contributions made since January 1 of the current calendar year.

Part 4 – Verification

An attorney, a certified public accountant, or a responsible officer of an entity or an entity filing jointly with any number of affiliates may sign the verification on behalf of the entity or entities. However, a statement filed by an individual must be signed by the individual rather than the individual's attorney or certified public accountant. The Form 461 is not considered filed if it is not signed.

The amendment box is checked if an amendment is being filed to a previously filed Form 461. A brief explanation of the change is required and the period covered by the statement being amended should be noted above in the “statement covers period” box.

Chapter 4 — Reporting Requirements

Form 461

Major Donor and Independent Expenditure Committee Campaign Statement		Type or print in ink. Amounts may be rounded to whole dollars.		Statement covers period from 1/1/XX through 6/30/XX		MAJOR DONOR AND INDEPENDENT EXPENDITURE COMMITTEE STATEMENT CALIFORNIA FORM 461 Page 2 of 2	
SEE INSTRUCTIONS ON REVERSE							
NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures)							
5. Contributions (Including Loans, Forgiveness of Loans, and Loan Guarantees) and Expenditures Made (If more space is needed, use additional copies of this page for continuation sheets.)							
DATE	NAME, STREET ADDRESS, CITY, STATE AND ZIP CODE OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	TYPE OF PAYMENT	DESCRIPTION OF PAYMENT (IF OTHER THAN MONETARY CONTRIBUTION OR LOAN)	CANDIDATE AND OFFICE, MEASURE AND JURISDICTION, OR COMMITTEE	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT RELATED TO THIS CANDIDATE, MEASURE, OR COMMITTEE	
4/10/XX	Committee to Save California 4733 Rancho Road Sacramento, CA 95821 #1251273 (Hart Co.)	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure		Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	6,000	6,000	
5/16/XX	Mammoth Print Shop 1300 I Street Sacramento, CA 95814 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	brochures	Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	26,000	56,000	
5/27/XX	KZYY 1240 AM 4700 Broadway Sacramento, CA 95814 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	air time	Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	30,000	56,000	
6/1/XX	Pym and Associates 34 Gough Street San Francisco, CA 94103 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure	payment for professional services	Yes on 88, State <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	10,754	10,754	
SUBTOTAL \$					72,754		

Part 5 – Contributions and Expenditures Made

- Disclose the dates of the contributions or independent expenditures made during the period. (See Chapter 2 for determining when a contribution is made.)
- Each payment of \$100 or more must be itemized. The name, street address, city, state, and zip code of the payee must be included. Also include committee I.D. numbers if applicable. Do not use a post office box number.
- Check the box indicating what type of payment was made. If the payment was a nonmonetary contribution, provide a description of the payment.
- If a total of \$100 or more was contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or general purpose committee (e.g., a political party or a PAC), the name of the candidate and the office sought or held, the name and jurisdiction of the ballot measure, or the name of the general purpose committee must be disclosed. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure.
- The amount of contributions made this period relative to each candidate, measure, or committee and the cumulative amount contributed or paid since January 1 of the current calendar year must be provided.

General Rules

- When contributions or expenditures from affiliated entities are itemized on one statement, each affiliated entity must be identified with its specific payment. In addition, the statement must also identify the addition or deletion of any entity for which contributions and expenditures are aggregated together.

- Loan repayments are not reported. If a loan was made and forgiven during the same calendar year, the amount of the forgiveness under “Description of Payment” is reported. The same is true if a loan guarantee is made and payments to the lender are made during the same calendar year.
- When a payment is made to a primarily formed committee for a candidate or measure, disclose the name of the primarily formed committee under the “name of the payee” section. Under the applicable section, disclose the candidate and office or measure and jurisdiction and whether the committee to which you contributed “supports” or “opposes” the particular candidate or measure. For example, the oppose box would be marked if a contribution was made to the Committee to Oppose Candidate Saxton.
- A contribution that is returned, uncashed, during the reporting period is not reportable.
- Contributions made to federal candidates or candidates in other states should not be reported on Form 461.
- A contribution that has been transferred by a candidate to another of his or her controlled committees does not need to be reported again. However, in some cases, the transferred contribution counts toward the state contribution limit for the new committee.
- The contributions of a husband and wife are calculated separately for purposes of qualifying as a major donor committee. If both individuals qualify as major donor committees, they should file separate forms.
- If contributions were made to more than one election committee controlled by the same candidate, cumulate the amounts contributed to all committees.
- Contributions to an officeholder account are cumulated with the candidate's future election committee contributions. Payments that are not cumulated include:
 - Contributions made to a candidate's election committee and to that candidate's controlled ballot measure committee, legal defense fund, or recall committee.
 - Independent expenditures supporting a candidate and contributions to that same candidate's campaign.
- If goods on hand were contributed (e.g., paper or postage), describe the goods or services in the “Description of Payment” column, and disclose the fair market value of the goods or services. The fair market value is the amount it would cost the recipient to purchase the goods on the open market.
- If a payment was made to an agent or independent contractor who then made payments on behalf of the filer (subvendor payments), disclose payments made to the subvendor in addition to the payments made to the agent. Report the name and address of the agent, followed by the name and address of each subvendor paid \$500 or more. Amounts paid to the agent are disclosed in the “Amount this Period” column and the amounts paid to a subvendor(s) are reported in the “Description of Payment” column.
- If an employee spends more than 10 percent of his/her compensated time in any one month engaged in campaign activities that expressly advocate the support of or opposition to a candidate or measure (e.g., phone banks or precinct walking), the employer must report the payments as nonmonetary contributions. The names, addresses, and the specific salaries of the employees are not required to be disclosed.
- A candidate's contributions to his or her own committee do not trigger the requirement to file Form 461. However, a

Chapter 4 — Reporting Requirements

candidate filing a Form 461 disclosing personal contributions made to **other** candidates or committees must also disclose personal contributions made to his or her own controlled committees.

Additional Reports

In addition to the Form 461, other reports may be required depending on a committee's activity, including:

- Supplemental Independent Expenditure Report (Form 465)
- 496 Independent Expenditure Report (Form 496)

- 497 Contribution Report (Form 497)
- Paid Spokesperson Report (Form 511)
- Special Odd-Year Report (Form 461)
- Report of Communications Identifying State Candidates (Form E-530)

It is important to review where each report must be filed as several of the filing locations may not be the committee's regular filing locations. Consult FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees for instructions on filing a Supplemental Independent Expenditure Report (Form 465) or a 496 Independent Expenditure Report (Form 496).

If Your Committee	File
Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or ballot measure	Form 465
Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or measure during the 16 days before the candidate's or measure's election	Form 496
Makes independent expenditures of \$1,000 or more to support or oppose a single state candidate or state measure during the 90 days before the candidate's or measure's election	Form 496
Makes contributions totaling \$1,000 or more to a single candidate or primarily formed ballot measure committee during the 16 days before the candidate's or measure's election	Form 497
Makes contributions totaling \$1,000 or more to a political party (including central committees) during the 16 days before a state election	Form 497
Makes expenditures of \$5,000 or more for an individual to appear in a ballot measure advertisement	Form 511
Makes payments of \$50,000 or more to "feature" a state candidate 45 days before an election	Form E-530
Makes contribution(s) totaling \$10,000 to state officeholders during the first and third quarters of an odd-numbered year	Form 461

Electronic Filers

Except where noted, state committees that are required to file campaign statements electronically must file the reports reviewed in this chapter electronically as well as in paper format if the report is required to be filed with the Secretary of State.

Late Contributions (Form 497)

16-Day Contribution Report: A Form 497 must be filed if, during the last 16 days before an election, a major donor makes a contribution of \$1,000 or more, or multiple contributions aggregating \$1,000 or more, to a single candidate or primarily formed ballot measure committee. A Form 497 must also be filed if a committee makes a contribution of \$1,000 or more to a political party (including central committees) during the 16 days before **any** state election.

Examples *Fourteen days before the November election, a major donor made a \$20,500 contribution to Yes on Measure G. The major donor must file Form 497 within 24 hours of making the contribution. (The Measure G committee also must report the receipt of a late contribution.)*

Ten days before a special state election to fill a vacant Assembly seat, a major donor makes a contribution of \$5,000 to the Riverside County Republican Central Committee. Regardless of the purpose for the contribution, the major donor must file Form 497, and the central committee receiving the contribution must file a report as well.

QuickTIP Check the FPPC website for filing schedules. Most local election and all state election filing schedules are published there.

When to File

A late contribution is made on the date the contribution is mailed, delivered, or otherwise transmitted to a candidate or committee. Late reports must be filed within 24 hours. The “next business day” rule for filing periodic reports does **not** apply to late reports.

Where to File

The Form 497 must be filed by fax, guaranteed overnight delivery service, or personal delivery at the same locations where the committee files its regular campaign statements (e.g., Form 461). **Regular mail may not be used.** (See page 4-2 for filing locations.)

When a state major donor committee that files electronically with the Secretary of State makes a late contribution totaling \$1,000 or more to support or oppose a single state candidate or a single state ballot measure during the 16 days before the election, it must also file Form 497 electronically with the Secretary of State within 24 hours of making the expenditure.

QuickTIP It is not unusual for the first contribution that a major donor makes to trigger electronic filing of a Form 497. For example, a contribution of \$50,000 or more 16 days before a state election will trigger an electronic filing and paper filings.

Chapter 4 — Reporting Requirements

Form 497

497 Contribution Report				
Type or print in ink. Amounts may be rounded to whole dollars.				
NAME OF FILER Hart Corporation (including aggregated contributions)		Date of This Filing 6/2/XX	Date Stamp	497 CONTRIBUTION REPORT CALIFORNIA FORM 497 For Official Use Only
AREA CODE/PHONE NUMBER (916) 876-5023	I.D. NUMBER (if applicable)	Report No. 1		
STREET ADDRESS 4300 Industrial Park West		<input type="checkbox"/> Amendment to Report No. _____ (explain below)		
CITY Sacramento	STATE CA	ZIP CODE 95817	No. of Pages 1	
2. Contribution(s) Made				
DATE MADE	FULLNAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE ALSO ENTERED NUMBER)	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION (IF APPLICABLE)
6/1/XX	Pym and Associates 34 Gough Street San Francisco, CA 94103 (Kline Ltd.)	Prop. 88, State	10,754	6/3/XX

How to Complete Form 497

- Enter the committee's name, street address, city, state, and zip code.
- Indicate the date of filing this report.
- Assign a unique number to each late contribution report, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.

For late contributions **made**, provide:

- The date made;
- The recipient's full name and address;
- Office sought or held (if to a candidate);
- Ballot measure number or letter and jurisdiction (if to a ballot measure committee);
- The date of the election, if a state committee is disclosing a late contribution to a local candidate; and
- The amount of the contribution. (Check the box if it was a loan.)

Amendments

To amend a previously filed Form 497, file a new Form 497 with the corrected information and the "Amendment" box checked. Or, disclose the required information on a piece of paper identified as an amendment. The "Report Number" of the report being amended should be included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

Form 511

Paid Spokesperson Report			Date Stamp	CALIFORNIA FORM 511 For Official Use Only
Type or print in ink. Amounts may be rounded to whole dollars.				
NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures)		ID # (if required)	<input type="checkbox"/> Amendment (explain) 	
AREA CODE/PHONE NUMBER (916) 876-5023	E-MAIL (optional) howard.hart@sbcglobal.net			
STREET ADDRESS 4300 Industrial Park West				
CITY Sacramento	STATE CA	ZIP CODE 95817		
Payments Made Attach additional information on appropriately labeled continuation sheets.				
DATE	NAME AND ADDRESS OF SPOKESPERSON	BALLOT MEASURE SUPPORTED OR OPPOSED (INCLUDE BALLOT NUMBER OR LETTER AND JURISDICTION)	AMOUNT	
10/1/XX	Judy Sanchez 10 Main Street Sacramento, CA 95814 (Hart Corp.)	Prop. 215, State of CA <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	5,500	
10/1/XX	Steve Fong 28 Gerber Drive Sacramento, CA 95814 (Kline Ltd.)	Prop. 215, State of CA <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	7,000	
Verification I have used all reasonable diligence in preparing this report. I have reviewed the report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.				
Executed on 10/15/XX DATE		By _____ [Signature Required] SIGNATURE OF TREASURER/ASSISTANT TREASURER/FILER		

Paid Spokesperson Report (Form 511)

A Paid Spokesperson Report (Form 511) is filed by a major donor committee that makes payments totaling \$5,000 or more for an individual's appearance in a printed, televised, or radio advertisement, or in a telephone message, to support or oppose the qualification, passage, or defeat of a state or local ballot measure. (The advertisement itself also must disclose that the individual is being paid to appear.)

Example A corporation pays \$30,000 for a public relations firm to produce a television advertisement supporting Measure B. A celebrity is paid \$5,000 or more to appear in the ad. The corporation must file the Form 511. In addition, the ad must state that the individual was paid to appear.

Form 511 must be filed in addition to any other statements the committee is required to file. Payments made to

spokespersons also must be reported on the committee's next campaign statement (Form 461).

When and Where to File

File Form 511 within 10 days of making or promising payments totaling \$5,000 or more to the individual that will appear in the advertisement(s). File Form 511 in the same location(s) the committee files its campaign statements.

How to Complete Form 511

Payments Made

In the first column, provide the date the payments were made or the services were received, whichever is earlier. In the second column, indicate the name and address of the individual who was paid \$5,000 or more to appear in the advertisement. In the third column, provide the name, number or letter, and jurisdiction of the ballot measure supported or opposed by the advertisement.

Chapter 4 — Reporting Requirements

Finally, in the last column, indicate the total amount of the expenditure.

Verification

The Form 511 is not considered filed if it is not signed.

Amendments


To amend a previously filed Form 511, file another Form 511 with the corrected information. Check the “Amendment” box and give a brief description of the amendment. Like the original, the amendment must be signed and dated. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.


Special Odd-Year Report

During an odd-numbered year, special odd-year reports (Form 461) must be filed if the major donor committee makes contributions totaling \$10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer between January 1 and March 31, or between July 1 and September 30. The special odd-year reports are due April 30 and October 31, respectively.

Form 461 is triggered if the contributions are made to any controlled committee of an elected state officer, including controlled general purpose ballot measure committees, controlled primarily formed ballot measure committees, officeholder, legal defense committees, or recall committees.


The form is completed and filed in the same manner as a regular semi-annual statement and includes all of the major donor committee's activity during the reporting period, not just contributions to elected state officers.

 **See page 4-2 for early filing information and combining a special odd-year report with a semi-annual report.**

 *During March of an odd-numbered year, ABC Corporation makes a contribution of \$3,000 to a state officeholder's controlled ballot measure committee, and four contributions to four different Assembly officeholders of \$3,000 each. The corporation files a special odd-year report on a Form 461 covering the period January 1 through March 31. The report is due no later than April 30. The special odd-year report is filed with the committee's regular filing officers. The next statement, the semi-annual, will cover the period April 1 through June 30, and is due no later than July 31.*

Communications Identifying State Candidates (Form E-530)

A major donor committee that spends \$50,000 or more for a communication disseminated during the 45 days before an election that clearly identifies a state candidate appearing on the ballot, but does not expressly advocate the election or defeat of that candidate, must file Form E-530 electronically with the Secretary of State within 48 hours of making payments, or promising to make payments, totaling \$50,000 or more. The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate identified in the communication. A separate report must be filed for each state candidate identified in the communication.

 *The Temple Company purchased billboard space up and down Interstate 5 stating, “Thank You, Governor Romez, for Supporting California’s Children.” The billboard space was rented for the 30 days prior to the Governor’s election. The total cost for design, printing,*

placement, and space rental was \$65,000 and was paid on October 6. By October 8, the company must file the Form E-530 electronically with the Secretary of State.

Form E-530 must be filed in addition to any preelection or semi-annual campaign statements the committee is required to file. The report must be verified by a written “electronic filing declaration,” signed, dated, and verified on the same date that the report is transmitted to the Secretary of State. This declaration must be retained in the committee’s records for five years following the date that the campaign report to which it relates is filed. The statement must include the following language:

“I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.”

How to File Form E-530

There is no paper version of the Form E-530. To access the online form, go to the Secretary of State’s website (www.sos.ca.gov) and click on “For Filers Only” under Campaign Finance. You must apply for a Filer ID and password using the form provided. Then, from the same location on the website, you can click on the E-530 link to access the form.

Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Code Sections

- 81004 *Reports and Statements; Perjury; Verification.*
- 81004.5 *Reports and Statements; Amendments.*

- 82015 *Contribution.*
- 82025 *Expenditure.*
- 82027.5 *General Purpose Committee.*
- 82036 *Late Contribution.*
- 82036.5 *Late Independent Expenditure.*
- 82044 *Payment.*
- 82046 *Period Covered.*
- 84200 *Semi-Annual Statements.*
- 84200.5 *Preelection Statements.*
- 84200.6 *Special Campaign Statements and Reports.*
- 84202.7 *Time for Filing by Committees of Odd-Numbered Year Reports.*
- 84203 *Late Contribution; Reports.*
- 84203.3 *Late In-Kind Contributions.*
- 84203.5 *Supplemental Independent Expenditure Report.*
- 84204 *Late Independent Expenditures; Reports.*
- 84211 *Contents of Campaign Statement.*
- 84215 *Campaign Reports and Statements; Where to File.*
- 84303 *Expenditure by Agent or Independent Contractor.*
- 84511 *Ballot Measure Ads; Paid Spokesperson Disclosure.*
- 84605 *Who Shall File Online.*
- 85310 *Communications Identifying State Candidates.*

Title 2 Regulations

- 18116 *Reports and Statements; Filing Dates.*
- 18215 *Contribution.*
- 18423 *Payments for Personal Services as Contributions and Expenditures.*
- 18428 *Reporting of Contributions and Independent Expenditures Required to be Aggregated.*
- 18431 *Reporting of Expenditures by an Agent or Independent Contractor.*
- 18450.11 *Spokesperson Disclosure.*
- 18539.2 *Reporting Payments Pursuant to Government Code Section 85310.*

Appendix

About the Political Reform Act

How to Get Help

The Political Reform Act of 1974

The Political Reform Act (the “Act”) was a voter-approved initiative on the 1974 primary election ballot. One of the major provisions of the Act requires the disclosure of campaign contributions and expenditures during elections.

The Fair Political Practices Commission

The Fair Political Practices Commission is the independent, nonpartisan state agency authorized to implement, interpret, and enforce the provisions of the Political Reform Act. A full-time chair appointed by the Governor, and four part-time commissioners, one each appointed by the Controller, the Attorney General, the Secretary of State, and the Governor comprise the Commission. Each member serves a four-year term and no more than three members may be from the same political party. Commission staff is composed of four divisions: Administration, Enforcement, Legal, and Technical Assistance.

Governing Statutes

The Political Reform Act is contained in Government Code Sections 81000-91014.

Regulations

Regulations interpreting the Political Reform Act are located at Title 2, Division 6 of the California Code of Regulations, beginning at Section 18109.

Opinions and Advice Letters

The Commission periodically issues opinions interpreting provisions of the Political Reform Act. The opinions are adopted at a public

meeting, with opportunity for input from interested persons.

In addition, FPPC staff issues written advice letters as to the applicability of the Political Reform Act and regulations to a particular factual situation. See the FPPC publication “Requesting Advice From the FPPC” available on our website.

FPPC staff does not provide advice by e-mail.

Obtaining Information from the FPPC

Write, call, or visit the FPPC to get copies of specific advice letters or to be put on our mailing lists.

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660 – Toll-free (866) 275-3772

Website

The Commission’s website (www.fppc.ca.gov) contains a wealth of helpful information, including:

- The Political Reform Act and its corresponding regulations
- Commission opinions
- Notices of Commission meeting dates and agendas, supporting documentation for agenda items, and meeting summaries
- Forms required by the Act (also available at the FPPC’s offices, the Secretary of State’s Office, and many local clerks’ offices)
- Manuals, fact sheets, and useful summaries of the law

Additional Campaign Manuals

Additional copies of this manual, and manuals for other types of campaign committees are available from the Commission, the Secretary of State, and many city clerks or county registrars. Manuals are available for:

- State candidates and officeholders, and committees primarily formed to support/oppose candidates
- Local candidates and officeholders, and committees primarily formed to support/oppose candidates
- Ballot measure committees
- General purpose recipient committees
- Slate mailer organizations

Computer Generated Statements

Interactive campaign forms may be found at the Commission's website at www.fppc.ca.gov. Contact the Secretary of State at www.sos.ca.gov for information on state electronic filings.

In lieu of using official FPPC forms, candidates and committees may produce their own computer-generated form using FPPC's format. Contact the Commission for further information.

Local candidates are not required to file campaign statements electronically unless they are running for state office. However, some local jurisdictions require electronic filing. Check with your local filing officer.

Obtaining Information Elsewhere

A subscription for regulations is available from:

Barclay's Law Publishing
P.O. Box 3066
South San Francisco, CA 94083
(800) 888-3600

Opinions and advice letters are available from these subscription services:

Westlaw (800) 328-9352
Database: "CA-ETH"
(Advice letters from 1986 to present)

Lexis-Nexis (800) 227-9597
Database: "CA Fair Political Practices Commission"
(Advice letters from 1990 to present)

Other Resources

The Secretary of State, city clerks, and county clerks or registrars of voters are the filing officers for campaign disclosure statements. Committee statements will be filed with the Secretary of State or a local clerk or registrar depending on whether the filer is a state candidate, a candidate running for local election, or a state or local committee.

Secretary of State

The Secretary of State is also responsible for issuing campaign committee identification numbers.

(916) 653-6224
(916) 653-5045
www.sos.ca.gov

Federal Election Commission

The Federal Election Commission answers questions regarding federal elections and contributions to all candidates from national banks, national corporations, and foreign nationals.

(800) 424-9530 (located in Washington, D.C.)
www.fec.gov

Franchise Tax Board

The Franchise Tax Board is responsible for responding to questions regarding tax status, tax-deductibility of political contributions,

501(c)(3) groups, audits, or any tax-related questions.

(800) 852-5711 or (800) 338-0505
www.ftb.ca.gov

Internal Revenue Service

The Internal Revenue Service provides assistance regarding federal tax laws and obtaining a taxpayer identification number.

(877) 829-5500 (located in Washington, D.C.)
(800) 829-3676 (taxpayer ID number)
www.irs.gov

Federal Communications Commission

The Federal Communications Commission can answer questions regarding rates for purchasing broadcast time and equal access to broadcast media.

(888) 225-5322 or (202) 418-1440 (located in Washington, D.C.)
www.fcc.gov
email: fccinfo@fcc.gov

Local Ordinances

A city or county officeholder, candidate, or committee may be subject to additional reporting or other requirements. This is because cities and counties may enact ordinances that impose additional or different disclosure requirements. For example, there may be contribution limits, lower itemization thresholds, or an additional preelection statement, just to mention a few.

A city or county campaign ordinance may never preempt state law. Enforcement and interpretation of a local ordinance is the responsibility of the local jurisdiction. The Commission is not empowered to give advice concerning local ordinances.

Privacy Information Notice

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code

Sections 81000-91014 and California Code of Regulations sections 18109-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal, or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice please contact the FPPC.

Technical Assistance Division
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660

Campaign statements are filed with the Secretary of State and city and county filing officers.

Enforcement

The Fair Political Practices Commission, the Attorney General, county district attorneys, and elected city attorneys of charter cities have enforcement authority under the Act.

Failure to provide all or any part of the information required by the Political Reform Act is a violation subject to:

- An administrative enforcement proceeding before the Fair Political Practices Commission;
- A criminal misdemeanor proceeding;
- A civil action; and
- Levying of late penalties by filing officers.

Penalties for not filing campaign statements may be imposed up to \$5,000 per violation.



State of California

**Fair Political
Practices Commission**

How To Contact Us:

By mail:

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

Internet:

www.fppc.ca.gov

By telephone:

Toll-free advice line:

1-866-ASK-FPPC

(1-866-275-3772)

Regular line: 1-916-322-5660

Enforcement hot-line: 1-800-561-1861